REGULATION VI OF 1922.

Regulation to authorise the taking of Measurements and Photographs of Convicts and others.

(RECEIVED THE ASSENT OF HIS HIGHNESS THE MAHARAJA ON THE 26TH DAY OF DECEMBER 1922.)

Whereas it is expedient to authorise the taking of measurements and photographs of convicts and others, His Highness the Maharaja is pleased to enact as follows :—

Short title, extent and commencement.

1. (1) This Regulation may be called the Identification of Prisoners Regulation, 1922;

(2) It extends to the whole of Mysore; and

(3) It shall come into force at once.

Definitions

2. In this Regulation unless there is anything repugnant in the subject or context,

(*a*) "Measurements" include finger impressions and foot print impressions;

(*b*) "Police Officer" means an officer in charge of a police station, a police officer making an investigation under Chapter XIV of the Code of Criminal Procedure, 1904, or any other police officer not below the rank of a sub-inspector, and

(*c*) "prescribed" means prescribed by rules made under this Regulation.

Taking of measurements, etc., of convicted persons.

3. Every person who has been

(*a*) convicted of any offence punishable with rigorous imprisonment for a term of one year or upwards, or of any offence which would render him liable to enhanced punishment on a subsequent conviction, or

(*b*) ordered to give security for his good behaviour under Section 118 of the Code of Criminal Procedure, 1904,

shall, if so required allow his measurements and photograph to be taken by a police officer in the prescribed manner.

Taking of measurements, etc., of non-convicted persons.

4. Any person who has been arrested in connection with an offence punishable with rigorous imprisonment for a term of one year or upwards shall, if so required by a police officer, allow his measurements to be taken in the prescribed manner.

Power of Magistrate to order a person to be measured or photographed.

5. If a magistrate is satisfied that, for the purposes of any investigation or proceeding under the Code of Criminal Procedure, 1904, it is expedient to direct any person to allow his measurements or photograph to be taken, he may make an order to that effect, and in that case the person to whom the order relates shall be produced or shall attend at the time and place specified in the order and shall allow his measurements or photograph to be taken, as the case may be, by a police officer:

Provided that no order shall be made directing any person to be photographed except by a magistrate of the first class.

Provided further, that no order shall be made under this section unless the person has at some time been arrested in connection with such investigation or proceeding.

Resistance to the taking of measurements, etc.

6. (1) If any person who under this Regulation is required to allow his measurements or photograph to be taken resists or refuses to allow the taking of the same, it shall be lawful to use all means necessary to secure the taking thereof.

(2) Resistance to or refusal to allow the taking of measurements or photographs under this Regulation shall be deemed to be an offence under Section 186 of the Indian Penal Code.

Destruction of photographs and records of measurements etc., on acquittal.

7. Where any person who, not having been previously convicted of an offence punishable with rigorous imprisonment for a term of one year or upwards, has had his measurements taken or has been photographed in accordance with the provisions of this Regulation, is released without trial or discharged or acquitted by any Court, all measurements and all photographs (both negatives and copies) so taken shall, unless the court or (in a case where such person is released without trial) the District Magistrate or the Assistant Commissioner in charge of the Sub-Division for reasons to be recorded in writing otherwise directs, be destroyed or made over to him.

Power to make rules.

8. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for :—

(*a*) restrictions on the taking of photographs of persons under section 5;

(*b*) the places at which measurements and photographs may be taken;

(*c*) the nature of the measurements that may be taken;

(*d*) the method in which any class or classes of measurements shall be taken;

(*e*) the dress to be worn by a person when being photographed under section 3; and

(*f*) the preservation, safe custody, destruction and disposal of records of measurements and photographs.

Bar of suits.

9. No suit or other proceeding shall lie against any person for anything done, or intended to be done, in good faith under this Regulation or under any rule made thereunder.

A. R. BANERJI,
Dewan.

REGULATION VII OF 1922.

Regulation further to amend the Mysore Stamp Regulation, 1900.

(*Received the assent of His Highness the Maharaja on the 26th day of December* 1922.)

Whereas it is expedient to amend the Mysore Stamp Regulation, 1900;

Preamble.

His Highness the Maharaja is pleased to enact as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Stamp (Amendment) Regulation, 1922.

(2) It extends to the whole of Mysore.

(3) It shall come into force on the first day of February 1923.

Interpretation clause.

2. In this Regulation, the words "the principal Regulation" shall mean the Mysore Stamp Regulation, 1900.

Amendment of clause (9) of Section 2 of Regulation II of 1900.

3. To clause (9) of Section 2 of the principal Regulation, the following shall be added, namely:—"or by Schedule I-A, as the case may be."

Amendment of Section 3.

4. In Section 3 of the principal Regulation:—

(1) after clause (*c*) the following shall be inserted, namely:—

"Provided that, except as otherwise expressly provided in this Regulation, and notwithstanding anything contained in clause (*a*) or (*c*) of this section or in Schedule I, the amount indicated in Schedule I-A shall, subject to the exemptions contained in that schedule, be the duty chargeable on the following instruments:—

(*aa*) every instrument mentioned in Schedule I-A as chargeable with duty under that schedule, which, not having been previously executed by any person, is executed out of Mysore on or after the first day of February 1923.

(*bb*) every instrument mentioned in Schedule I-A as chargeable with duty under that schedule, which, not having been previously executed by any person, is executed out of Mysore on or after the first day of February 1923 and relates to any property situated or to any matter or thing done or to be done in Mysore and is received in Mysore;